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In re Application of :
RUDINGER, et al. :
U.S. Application No.: 10/009,507 : COMMUNICATION
PCT No.: PCT/EP00/06092 :
Int. Filing Date: 29 June 2000 :
Priority Date: 22 July 1999 :
Attorney's Docket No.: RUDINGER ET AL-5 (PCT) :
For: PROCESS FOR THE SEPARATION AND :
PURIFICATION OF AN AQUEOUS MIXTURE :
COMPRISING THE MAIN COMPONENTS :
ACETIC ACID AND FORMIC ACID :

This file is before the PCT Legal Office for issues arising under 35 U.S.C. 371.

BACKGROUND

On 29 June 2000, applicant filed international application PCT/EP00/06092, which claimed priority of an earlier application filed 22 July 1999. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 01 February 2001. A Demand for international preliminary examination, in which the United States was elected, was filed on 14 December 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 22 January 2002.

On 05 December 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a translation of the international application into English; an assignment document for recording; a First preliminary amendment; an International Search Report and an executed combined declaration and power of attorney.

COMMUNICATION

The combined declaration and power of attorney filed on 05 December 2001 does not comply with 37 CFR 1.497 (a)-(b). Specifically, the fifth listed inventor is listed and executed as "Barbara WILD" whereas the International Application lists the third inventor as "Barbara REIL". Applicant must provide either a declaration executed with the name which appears on the international application, "Barbara REIL" or in the alternative, a petition under 37 CFR 1.182

requesting that applicant's name be changed to "Barbara WILD." In order to be granted, the petition under 37 CFR 1.182 must include an affidavit signed by inventor WILD with both names setting forth the procedure whereby the change of name was effected, or a certified copy of the court order as well as the \$130.00 petition fee. See MPEP 605.04(c).

CONCLUSION

Applicant is hereby afforded **TWO MONTHS** from the mail date of this communication to furnish the proper reply as indicated above. Failure to file the reply within the time period provided will result in abandonment. Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the International Division, Legal Staff.



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